

MEMO ENDORSED**Federal Defenders
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Southern DistrictDavid E. Patton
*Executive Director**Southern District of New York*
Jennifer L. Brown
Attorney-in-Charge

May 25, 2023

BY ECFThe Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007**Re: United States v. James Darnell Garlick
22 Cr. 540 (VEC)**

Dear Judge Caproni:

We write as standby counsel for James Darnell Garlick in the above-captioned case. We are in receipt of the Court's order dated May 26, 2023 directing standby counsel to provide Mr. Garlick a copy of the Order and the Court's draft voir dire questions in Word format via CorrLinks not later than 5:00 PM today. Dkt. 85. Before we were able to comply with the Court's order, we received the below automated message from CorrLinks with respect to Mr. Garlick at 11:51 AM today.

The above-named inmate has chosen to remove your email address from his/her approved contact list and, therefore, cannot receive or send messages to your email address.

Accordingly, we cannot comply with the Court's order. In addition, for the reasons stated in standby counsel's May 18, 2023 letter to the Court and in court on Monday, May 22, 2023, we renew our application to be relieved as standby counsel for Mr. Garlick. Dkt. 68. Communications between Mr. Garlick and standby counsel have broken down irretrievably; the Federal Defenders cannot effectively represent Mr. Garlick in any capacity.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/

Marne L. Lenox, Esq.
Michael Arthus, Esq.

Standby counsel for James Darnell Garlick

cc: Counsel of record

Application DENIED. Mr. Garlick will receive the Court's order through the Government's regularly scheduled delivery of filings as set forth at Dkt. 67. Mr. Garlick represented to the Court that he refuses to cooperate with any standby counsel, not the Federal Defenders in particular. Mr. Garlick's unwise decision not to receive or be able to make filings more promptly by accepting the assistance of standby counsel therefore does not warrant relieving the Federal Defenders, who remain best suited to represent Mr. Garlick should counsel's intervention become necessary at trial.

SO ORDERED.

 05/26/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE